

### **REMARKS**

Claims 1-16 are the claims currently pending in the Application.

Claim 1 is amended to include the limitations of claim 2 and to further clarify features recited thereby. Claims 2, 4, 6, 8, 10 and 12 are cancelled herein. These amendments introduce no impermissible new matter.

The amendment of claim 1 is fully supported by the Specification, see for example: page 17, line 22 to page 18, line 21, and page 20, lines 3-12, and original claim 2.

### **Summary of Telephone Interview**

Applicant thanks the Examiner for the telephone interview of February 23, 2006, in which the Examiner stated that the claims should include more detail regarding how the monitoring is performed by the system.

### **Rejection of Claim 1 under 35 U.S.C. § 102(e)**

Claim 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by Lutterschmidt (U.S. 6,356,947). This rejection should be withdrawn based on the comments and remarks herein.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious from the cited reference. By way of example, independent claim 1 requires that when the content file stored in any of the apparatuses connected to the network is modified as a result of either a mounting or a removing of a removable medium, the contents monitoring unit outputs contents modification information.

Lutterschmidt does not disclose or suggest this feature. Therefore,

Lutterschmidt does not disclose or suggest the recitations of independent claim 1. Thus, this rejection should now be withdrawn.

**Rejection of Claims 1 and 14-16 under 35 U.S.C. § 102(b)**

Claims 1 and 14-16 are rejected under 35 U.S.C. § 102(b) are being anticipated by Sims et al. (U.S. Patent 5,434,775). This rejection should be withdrawn based on the comments and remarks herein.

Applicant herein amends claim 1 to incorporate the features and limitations of claim 2 such that independent claim 1 requires that when the content file stored in any of the apparatuses connected to the network is modified as a result of either a mounting or a removing of a removable medium, the contents monitoring unit outputs contents modification information.

Sims does not disclose or suggest this feature, and therefore Sims does not disclose or suggest the recitations of independent claim 1.

Claims 14-16 depend from independent claim 1, and thus incorporate novel and nonobvious features thereof. Accordingly, claims 14-16 are patentably distinguishable over the prior art for at least the reasons that independent claim 1 is patentably distinguishable over the prior art. Therefore, this rejection should now be withdrawn.

**Rejection of Claim 1 under 35 U.S.C. § 103**

Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams et al. (U.S. Patent 6,415,289) in view of Hasegawa et al. (U.S. Patent 6,370,587). This rejection should be withdrawn based on the comments and remarks herein.

The Examiner states, on page 9 of the Office Action, that Williams does not disclose or explicitly state having a network monitoring unit for monitoring a change in an apparatus connection state, but that Hasegawa discloses a device with an update notification section (column 14, lines 49-50). Applicant respectfully points out that the device of Hasegawa is functionally equivalent to an apparatus in applicant's invention, as Hasegawa's device as disclosed in an eighth embodiment involves "the new participation of a network interconnection device" (column 14, lines 40-41). This device produces an event which notifies other devices (apparatus) of its existence (column 14, line 64 to column 15, line 10).

By contrast, applicant's claim 1 recites a distinct network monitoring unit for monitoring a change in an apparatus; notification by an apparatus is not recited nor claimed in claim 1. Further, claim 1 as amended herein includes the limitation that the network monitoring unit monitors changes to the network resulting from changes in an apparatus connection state and the network monitoring unit outputs these changes as connection state information. The monitoring is performed by either detecting broadcast messages or events using middle-ware installed on each apparatus on the network or by periodically monitoring the network apparatus configuration (see page 17, line 22 to page 18, line 21).

In Hasegawa, a newly added network interconnection device or apparatus notifies or informs the network of its presence by use of an update notification section. By contrast, in the present invention, the managing system monitors the network and determines, without notification from the apparatus, that a new apparatus has been added. Thus, in the present system, apparatus can be added more easily because the network

detects the presence of a new apparatus without any notification by the apparatus itself. Accordingly, apparatus without notification capability can be added, making the present system more flexible. Because the monitoring of the apparatus is a feature not found in either Hasegawa or Williams, this rejection should now be withdrawn.

**Rejection of Claims 3, 4, 5-8 and 9-12 under 35 U.S.C. § 103**

Claims 3, 4, 5-8 and 9-12 are rejected under 35 U.S.C. § 103 as being obvious from Williams and Hasegawa in view of Takahashi et al., U.S. Patent Publication No. 2002/0035620. This rejection should be withdrawn based on the comments and remarks herein.

As discussed, Williams and Hasegawa do not disclose or suggest the above-cited features of independent claim 1. Takahashi does not cure these deficiencies. Claims 3, 5, 7, 9 and 11 depend from claim 1, incorporating the features and limitations therein. Claims 2, 4, 6, 8, 10 and 12 are cancelled. Applicants respectfully traverse the rejection since even presuming *arguendo* that it would have been obvious to combine the references as urged by the Examiner, the combined teachings of the references would not result in that which is claimed. Therefore, this rejection should now be withdrawn.

**Rejection of Claim 13 under 35 U.S.C. § 103**

Claim 13 is rejected under 35 U.S.C. § 103 as being obvious from Williams, Hasegawa and Takahashi in view of the Official Notice taken by the Examiner. This rejection should be withdrawn based on the comments and remarks herein.

The Official Notice taken by the Examiner, even if it were proper, does not cure the deficiencies of the cited references as they relate to the above-discussed features of independent claim 1 of Applicant's invention. Claim 13 depends from claim

1, incorporating all of the features and limitations therein. Even presuming *arguendo* that it would have been obvious to combine the references as urged by the Examiner, the combined teachings of the references would not result in that which is claimed. Therefore, this rejection should now be withdrawn.

**Conclusion**

For at least the reasons set forth in the foregoing discussion, Applicant believes that the application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the application.

Should the Examiner have any questions regarding this amendment or the application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Katherine R. Vieyra", written in a cursive style.

Katherine R. Vieyra  
Registration No. 47,155

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza - Suite 300  
Garden City, New York 11530  
Telephone: (516) 742-4343  
Facsimile: (516) 742-4366

KRV:kc